



12-11-03

2171

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

Applicants: BIRRELL et al. Docket No.: 18973-50  
Application No. 09/668,643 Client Ref: 200301736-2  
Filed: September 22, 2000 Group Art: 2171  
For: METHOD AND SYSTEM FOR  
COOPERATIVELY BACKING UP  
DATA ON COMPUTERS IN A  
NETWORK Examiner: unknown

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DEC 15 2003

Technology Center 2100

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL FOR REQUEST TO WITHDRAW AS  
ATTORNEYS OF RECORD IN PATENT MATTER

Dear Sirs:

Submitted herewith are the following documents:

- ☒ Request to Withdraw as Attorney of Record;
- ☒ Copy of Notice to Client of the Request to Withdraw;
- ☒ Copy of E-Mail Correspondence from Client; and
- ☒ Postcard as for return as receipt of the above-identified documents.

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Dated: December 9, 2003

Respectfully submitted,

Leah Sherry  
Reg. No. 43,918

DECHERT LLP  
Customer No. 37509

## CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on December 9, 2003 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as EL 989 607 978 US addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: December 9, 2003

  
Yvette Yturralde-Owen



Leah Sherry  
Direct Tel: 650.813.4873  
Direct Fax: 650.813.4848  
Leah.Sherry@dechert.com

December 9, 2003

VIA FEDERAL EXPRESS

Richard P. Lange, Esq.  
c/o Tiffany Turner  
HEWLETT-PACKARD COMPANY  
1501 Page Mill Road  
M/S 1197  
Palo Alto, CA 94304

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**Re: Notice of Withdrawal and Delivery of Papers of Patent Case**

Dear Rich:

This letter is to give you notice that, pursuant to your telephone and follow-up e-mail instructions of December 5, 2003, to return to you the files of all Hewlett-Packard (H-P) patent matters being handled by Dechert, we have taken the necessary steps for withdrawing as attorneys of record in the pending H-P patent matters, as required under California and U.S. Patent rules of practice. We are enclosing herewith a copy of our requests to withdraw as attorneys of record for each of the pending patent application matters being handled by Dechert LLP. In further accordance with these rules we have gathered and prepared for delivery to you the papers comprising the H-P patent applications and their prosecution.

We anticipate that Hewlett-Packard will pay the outstanding invoices for our work on these patent matters. If you have any questions about any of these arrangements, please call me.

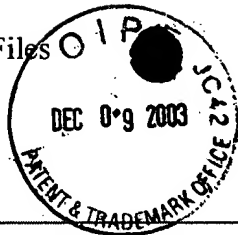
In closing, we have enjoyed supporting you in managing the patent portfolio of your organization. We likewise appreciate your kind remarks about our work over the years. Going forward, we hope to have the opportunity to provide you additional service.

Very truly yours,

Leah Sherry

LS/yyo

80796.1.17 12/9/2003



COPY

**Sherry, Leah**

**From:** Lange, Rich [rich.lange@hp.com]  
**Sent:** Friday, December 05, 2003 5:06 PM  
**To:** leah.sherry@dechert.com  
**Cc:** Rodriguez, Jennifer (Legal Dept); Gilliland, Glenda Dewece; Turner, Tiffany Joyce; Schuyler, Marc Philip  
**Subject:** HP/Compaq Patent Files  
**Importance:** High

Leah,

Per our conversation this morning, please forward all HP/Compaq patent files in your possession to HP as soon as reasonable possible. Dechert LLP has a conflict of interest with HP and is not on the approved list of outside counsel.

It is my understanding that you have approximately thirty such files. Please send me a list of the HP/Compaq patent files by email on Monday. Glenda Gilliland will be working with me concerning the details of transferring these files to HP.

Jennifer Rodriguez (650 857 4635) and I are attempting to move all of the invoices from Dechert as quickly as possible through the HP system. Jennifer is your contact person for administrative details related to the Dechert invoices.

As I mentioned, a number of the invoices are not prepared as required by the HP Outside Counsel procedures, or are for services not authorized by HP, i.e. copying, postage, forwarding PTO correspondence, etc., or both. These invoices will be returned for correction, or without payment, as appropriate.

Thank you for all of the great patent work through the years! At the same time you have transitioned through several law firms, I have evolved through several companies. We do indeed live in dynamic times!

Rich

Richard P. Lange  
Senior Counsel  
Hewlett-Packard Company  
1501 Page Mill Road, MS 1197  
Office - 650 857 2821  
Fax - 650 852 8063  
email - rich.lange@hp.com

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